

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOLLY ROGER OFFSHORE FUND LTD and
JOLLY ROGER FUND LP, Individually, and On
Behalf of All Others Similarly Situated,
Plaintiff,
v.
BKF CAPITAL GROUP, INC.,
GLENN A. AIGEN and JOHN A. LEVIN,
Defendants.

Civil Action No.: 1:07-cv-03923-RWS
(ECF Case)
Hon. Robert W. Sweet

NOTICE OF VOLUNTARY DISMISSAL BY PLAINTIFF

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Lead Plaintiff, the Jolly Roger Offshore Fund LTD and Jolly Roger Fund LP, hereby voluntarily dismisses this action without prejudice and without costs. To date, the putative class has not been certified, none of the adverse parties have served an Answer, and no party has interposed a motion for summary judgment.

Dated: October 5, 2007

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